

# Elections Advisory Committee

To the Secretary of State, Texas

July 14, 2003

To: Rick Perry, Governor  
David Dewhurst, Lieutenant Governor  
Tom Craddick, Speaker of the House  
Gwyn Shea, Secretary of State

From: John Cranfill  
**The Dallas Morning News**  
2003-2005 committee chairman



## Observer's Report for two special elections in Texas:

- **Texas House District 43**

- Tuesday, April 15, 2003,

- runoff on Tuesday, May 6

- **U.S. House District 19**

- Saturday, May 3, 2003

- runoff on Tuesday, June 3

Texas Secretary of State Gwyn Shea activated the Election Night Reporting (ENR) system for two special elections this spring, and each required a runoff to determine the winner. This meant four nights of election work between April 15 and June 3. In one 4-day period, elections were held on Saturday, May 3 and Tuesday, May 6.

There was no time to call a meeting of the full Elections Advisory Committee to prepare for these, so John Cranfill volunteered to monitor the operations, and file this Observer's report as required by law.



### Special Election for Texas House, Dist. 43

In March we set about preparing for a May 3 election to fill the unexpired seat of U.S. Representative Larry Combest.

Then, unexpectedly, the March 18 death from brain cancer of Texas House member Irma Rangel, D-Kingsville, required a special election be called for April 15, 2003, to fill the District 43 seat held for 26 years by Ms. Rangel, the first Mexican American female elected to the Texas House.

The April 15 special election was between nine candidates (7 Democrats and 2 Republicans) running in six counties: Brooks, Cameron, Jim Hogg, Kenedy, Willacy and Kleberg. The field was reduced to a runoff between Democrat Juan M. Escobar, a retired U.S. Border Patrol agent from Kingsville who got 26.4% of the vote and Republican James R. Matz, mayor of Palm Valley, who received 26.2 percent. This election was over at 9:40 p.m. Tuesday. Turnout was 6,708 or just over 3.4 percent of the 195,317 registered voters in 65 precincts. There was a brief problem caused by Kleberg County reporting higher votes, then lowering these after the mistake was noticed.

To complete this election, a special runoff was called by Governor Perry for Tuesday, May 6. The runoff was won by Mr. Escobar with 62.6 percent of the 8,572 votes cast, a turnout of 4.4 percent. Votes were final to Austin at 9:28 p.m. with Cameron County filing its numbers.



## **Special Election for U.S. House, Dist. 19**

Overlapping the Valley election and runoff was a special election Saturday, May 3 for the unexpired term of Larry Combest, who was retiring at the end of May after serving for 18 years in Congressional District 19, in West Texas. This contest featured 17 candidates competing in 19 counties with 207 precincts.

The field was narrowed to two, both Republicans: Mike Conaway of Midland, who got 21.2 percent of the votes, and Randy Neugebauer of Lubbock with 22.3 percent. Voter turnout was 58,118.

Governor Perry set the runoff for Tuesday, June 3. Neugebauer won with 50.5 percent of the votes. Turnout was 56,505 voters. The night was punctuated by big storms moving across Ector County, leaving much of Odessa without power. The county clerk's office, headed by Sharon Wilson, counted votes by candlelight when the electricity failed, shutting down the optical scanners. Wilson's staff finished counting at 9:18 p.m. The storm moved east and heavy rain isolated one precinct in Howard County, near Midland, which had to be reported the next day. With 206 of 207 precincts reporting, the ENR operation was shut down at 9:24 p.m.

## **Role of the Internet**

The Internet was used in two important ways for these elections. Most counties used the Web to report their vote totals during each night's tally. Secure Web servers allowed the county clerks to fill out a Web page form and transmit this instantly to Austin, making for much faster returns.

The drawback to this happened several times when incorrect precinct numbers or candidates' totals were reported. In one case, the Conaway-Neugebauer numbers were switched accidentally in Lubbock County and caused confusion. This was noticed by the AP reporter covering the election, and quickly corrected. AP managers are interested in having a way created to alert the Secretary of State's staff whenever counties appear to make a mistake while using the Web to send numbers to Austin. Further Web impact resulted when all of the winners of these elections and runoffs were posted on the Secretary's Web site in Austin, [www.sos.state.tx.us](http://www.sos.state.tx.us). This saved news media subscription charges for these two small elections.

Web site postings for the public to see were about 2 to 5 minutes behind the live system of terminals in Austin and had 2,000 page hits on May 3 and 11,800 on June 3.

## **AP fees waived for both elections**

Secretary Shea decided to provide at no cost the full election night services to the Associated Press for both of these special elections, waiving the \$3,092.50 fee. This was done because the AP experienced problems with the direct feed Nov. 5, 2002 caused by an Oracle database error in the Secretary's operation. AP received no data for a half-hour when the database transmission failed, and this happened before the critical 10 p.m. television news.

Because of the small elections, AP decided to report to its members by just writing stories, rather than put tabular numbers on the Associated Press wire as would be the procedure for a large general election. Will Wingfield and others at AP's election operation in Boston, New York and Texas monitored all the tabular number transmissions for accuracy as a test of the system. Transmissions were deliberately broken each election, and the proper alert messages appeared at AP and in Austin, telling managers the Oracle database had stopped supplying election results. This "alert message" feature was built in response to the Nov. 5 general election problem.

Of special note, Mr. Wingfield monitored the ENR system from his home in Boston, with the idea in mind of preparing for the 2004 Presidential election season. He reported that everything worked properly.

On all these election nights, and resulting glitches and ideas for improvements, AP and Cranfill worked closely with Secretary Shea, Ann McGeehan, director of elections, Melinda Nickless, assistant director of elections, Kim Sutton, director of projects, Kim Thole, elections assistant, Lorna Wassdorf, data entry supervisor, Lori Castro and Dianne Gattuso of data entry, and information technology staffers Jim Edwards, John Mendoza and Jim McBride.

## **Secretary pushes EAC appointments**

On January 31, Secretary Shea hosted a meeting with representatives of the governor's office, the Lieutenant Governor's and Speaker's staff in Austin.

Her goal was to get new members of the Elections Advisory Committee for 2003-2005 appointed quickly, as required by the Texas Election Code in odd-numbered years, to serve a two-year term. Ann McGeehan, Kim Sutton and John Cranfill also attended.

The meeting was successful, and appointments were made within two weeks for the 2003-2005 term of the Elections Advisory Committee. In past years the committee appointments had taken months to complete--mainly because the Legislature is always in session and there are many distractions as a result.

### **Secretary Shea leaving office**

The new Elections Advisory Committee meets at 10 a.m. on Wednesday, July 16, 2003 in Austin to discuss the September 13 Constitutional Amendments election and the ENR operations.

Sadly, it is the last EAC meeting for Secretary Gwyn Shea, who has announced her resignation effective August 4. She has been a hard worker for the elections process, and helped bring Texas further streamline how the news media, and therefore the public, gets faster, accurate results after each election. We will miss her support and enthusiasm for better elections.